

PROOF

STATE OF IOWA

Senate Journal

MONDAY, JANUARY 27, 2003

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JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 27, 2003

The Senate met in regular session at 1:10 p.m., President Kramer presiding.

Prayer was offered by the Reverend David Larson, pastor of the First Baptist Church in Independence, Iowa. He was the guest of Senator Rehberg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Pages Kristin Irwin and Abigail Kiernan.

The Journal of Thursday, January 23, 2003, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, for the day, on request of Senator McKibben.

The Senate stood at ease at 1:18 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:59 p.m., President Pro Tempore Angelo presiding.

ADJOURNMENT

On motion of Senator Boettger, the Senate adjourned at 2:06 p.m. until 8:30 a.m. Tuesday, January 28, 2003.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

January 27, 2003

DEPARTMENT OF TRANSPORTATION

Biodiesel Fuel Revolving Fund Expenditures FY 2002 Report — notification that the report in electronic form is available online.

STATE APPEAL BOARD

General Tort Claims, Highway Tort Claims, and Settlements and Judgements for 2002, pursuant to Iowa Code section 669.12.

AGENCY ICN REPORT**DEPARTMENT OF INSPECTIONS AND APPEALS**

Iowa Communications Network (ICN) Usage for FY 2002, pursuant to Iowa Code section 8D.10.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Christopher L. Collett, Jesup — For achieving the rank of Eagle Scout. Senator Rehberg (1/27/03).

PETITION

The following petition was presented and placed on file:

From 207 residents of Iowa favoring legislation to remove the motorboat horsepower restriction on Lake MacBride while requiring operators to motor at a “no wake speed.” Senator Sievers.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

Convened: January 22, 2003, 3:05 p.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Horn, Ranking Member; Kibbie and Shull.

Members Absent: None.

Committee Business: Presentations by the Board of Educational Examiners and Iowa Public Television.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 23, 2003, 3:35 p.m.

Members Present: Zieman, Chair; Holveck, Ranking Member; and Stewart.

Members Absent: Sievers, Vice Chair; and Rehberg (both excused).

Committee Business: Presentations by the Auditor's Office, Treasurer's Office, Ethics and Campaign Disclosure Board, and the Department of Human Rights.

Adjourned: 5:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 23, 2003, 3:05 p.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Horn, Ranking Member; Kibbie and Shull.

Members Absent: None.

Committee Business: Presentation by Gary Nichols, Iowa College Aid Commission.

Adjourned: 4:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 23, 2003, 3:10 p.m.

Members Present: Tinsman, Chair; Johnson, Vice Chair; Hatch, Ranking Member; Bolcom and Veenstra.

Members Absent: None.

Committee Business: Presentation on the Medicaid program.

Adjourned: 4:40 p.m.

EDUCATION

Convened: January 27, 2003, 2:15 p.m.

Members Present: Boettger, Chair; McKinley, Vice Chair; Connolly, Ranking Member; Angelo, Beall, Behn, Brunkhorst, Dvorsky, Holveck, Hosch, Kreiman, Quirnbach, Redfern, and Rehberg.

Members Absent: Larson (excused).

Committee Business: Presentation by Ted Stilwell, Department of Education.

Adjourned: 3:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 1, by Seymour, Angelo, Beall, Behn, Black, Boettger, Bolkcom, Brunkhorst, Connolly, Courtney, Dearden, Dotzler, Drake, Dvorsky, Fraise, Gaskill, Gronstal, Hatch, Holveck, Horn, Hosch, Houser, Iverson, Johnson, Kettering, Kibbie, Kreiman, Lamberti, Lundby, McCoy, McKibben, McKinley, Miller, Putney, Quirnbach, Ragan, Redfern, Rehberg, Schuerer, Seng, Shull, Sievers, Stewart, Tinsman, Veenstra, Warnstadt, Wieck, and Zieman, a concurrent resolution relating to the federal Medicare program and requesting assistance from the federal government.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 49, by Kibbie, a bill for an act to limit certain political campaign advertising prior to an election, and applying a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 50, by Miller, Zieman, Schuerer, Behn, McKinley, Hosch, Kettering, Rehberg, and Brunkhorst, a bill for an act relating to the coordination of economic development activities at the

institutions of higher learning under the control of the state board of regents.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

[Senate File 51](#), by Angelo, a bill for an act relating to the withdrawal of blood without a warrant from a person under arrest for an operating-while-intoxicated offense when the arrest results from a traffic accident resulting in death or personal injury reasonably likely to cause death.

Read first time under Rule 28 and referred to committee on **Judiciary**.

STUDY BILLS RECEIVED

[SSB 1018](#) **Commerce**

Relating to the time periods that unclaimed demutualization proceeds and wages are presumed to be abandoned and providing an effective date.

[SSB 1019](#) **Commerce**

Relating to the procedures for handling abandoned property and property presumed to be abandoned.

[SSB 1020](#) **Business and Labor Relations**

Modifying workers' compensation laws and providing an effective date.

[SSB 1021](#) **Business and Labor Relations**

Relating to workers' compensation.

SUBCOMMITTEE ASSIGNMENTS

[Senate Resolution 2](#)

STATE GOVERNMENT: Sievers, Chair; Dearden and Shull

Senate File 30

EDUCATION: Boettger, Chair; Brunkhorst and Connolly

Senate File 31

EDUCATION: Angelo, Chair; Brunkhorst and Kreiman

Senate File 39

LOCAL GOVERNMENT: Miller, Chair; Stewart and Wieck

Senate File 41

WAYS AND MEANS: Miller, Chair; Bolkcom, Quirnbach, Shull, and Sievers

Senate File 43

JUDICIARY: Miller, Chair; Kreiman and Putney

Senate File 44

JUDICIARY: Boettger, Chair; Horn and Larson

Senate File 47

JUDICIARY: Larson, Chair; Holveck and Tinsman

Senate File 48

JUDICIARY: Lamberti, Chair; Boettger and Fraise

SSB 1018

COMMERCE: Wieck, Chair; McCoy and Redfern

SSB 1019

COMMERCE: Warnstadt, Chair; Brunkhorst and Sievers

SSB 1020

BUSINESS AND LABOR RELATIONS: Seymour, Chair; Dotzler and McKibben

SSB 1021

BUSINESS AND LABOR RELATIONS: Seymour, Chair; Dotzler and Wieck